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In Re:

**Alexis M. Heeney,**

Debtor.

UNITED STATES BANKRUPTCY  
FOR THE DISTRICT OF NEW JERSEY  
TRENTON VICINAGE

Chapter 13

Case No. 20-18954 (MBK)

**HEARING DATE: April 12 @ 10am**

**CERTIFICATION IN RESPONSE TO THE STANDING TRUSTEE'S OBJECTION TO  
THE MODIFIED CHAPTER 13 PLAN**

Alexis M. Heeney certifies as follows:

1. I am the debtor in the above captioned Chapter 13 Case. I make this certification in support of confirmation of my Modified Chapter 13 Plan.
2. I filed my case on July 28, 2020 and a Ch 13 plan was confirmed on March 16, 2021. When I filed my case in July of 2020, I had only one child, a 6-month-old son. Since the filing of my case, my husband and I were blessed with a second child at the very end of January 2021.
3. As the Trustee asserts in his objection to confirmation of my modified plan, since the filing of our case in July of 2020, household income has increased due to the repayment of certain pension loans during the pendency of our case. That said, due to the birth of our second child, the costs associated with same, and the increased costs of almost every day-to-day product due to inflation, our household expenses have also increased.

4. The Trustee compares our previously filed Schedule J from February 5, 2021, approximately a week after our second child was born, to the schedule J filed in January of 2023 and notes that our expenses have increased approximately \$3,500. As the February 2021 Schedule J was filed so quick after the birth of our second child, the increased expenses for same were not contained in the schedule. I will breakdown each increase in this certification and the justification for same.

5. Schedule J 4: There is an increase of \$34.26 on our mortgage payment which is the direct result of an increase in our escrow payment due and owing to our mortgage lender. The mortgage lender filed a Notice of Mortgage Payment change reflecting this increase on June 3, 2022.

6. Schedule J 4c: There is an increase of \$150.00 for home maintenance, repair and upkeep. In the February 2021 Schedule J, we did not list an amount for home maintenance, repair and upkeep. This was not sustainable. With every home, there is a base minimum in repairs and upkeep that must be done to maintain the home. I would argue that \$150.00 a month is within the realm of reasonableness.

7. Schedule J 6b: There is an increase of \$80 for water, sewer and garbage. Just like with the property taxes dues and owing on the home, every year since the filing of this case our water bill has increased. We are also utilizing more water presently as we have an additional child. I believe that the \$80 increase is reasonable.

8. Schedule J 6c & 6d: There is an increase of \$30 for home phone, cable and internet. This increase is the direct result of an increase in our Verizon bill which we have no control over. That said, I believe that it is worth noting that our cell phone bill actually went down \$70 from our February Schedule J. As a result, the amount paid for line items 6c and 6d

have actually decreased \$40.

9. Schedule J 7: There is an increase in food and housekeeping supplies of \$200.00. The total is now listed at \$1,200. As stated above, we are now a family of 4 and food prices have significantly increased over the past year. As such, I believe that the increase of \$200 is reasonable.

10. Schedule J 8: There is an increase of \$700 for childcare and children's educational costs. When this case was initially filed, we were only a household of 3. Additionally, as this case was filed in July of 2020, we filed in the very beginning of the covid pandemic and at the height of the lockdowns. Due to the lockdowns, both my husband and I were allowed to work from home which allowed us to keep the cost of childcare at a minimum. We listed the expense at \$200 on our February 2021 Schedule J. Now that covid lockdowns have been lifted and schools are back in full swing, both my husband and I are required to go into work full, requiring us to obtain childcare 6 days a week. As a result, our monthly childcare expense has increased \$700. If we are not allowed this increase, either my husband or I will have to stop working, which would have a much more significantly negative impact on our trustee payments. As such, I believe this increase to be reasonable.

11. Schedule J 9: There is an increase of \$25 for clothing laundry and dry cleaning. Once again, the addition of a second child, along with recent increases in prices due to inflation, explains the increase of \$25.

12. Schedule J 10: There is an increase of \$10 for personal care products. This can be explained by the increased cost of goods due to inflation.

13. Schedule J 12: There is an increase of \$1,000 for transportation, which includes gas, maintenance, and tolls. When we filed our case, we listed transportation at \$400 a month.

As explained above, when we filed in July of 2020 both my husband and I were working remotely full time, and as a result, we were not spending as much on transportation. Now that lock downs are over and my husband and I are required to work 6 days a week on location, we are traveling much, much more. For the two cars that we have, we are spending considerably more on gas and tolls that we were in February of 2021. Additionally, the increase in the price of gas has resulted in this expense additionally increasing. Both my job, and my husband's job, require us to commute 6 days a week, with the additional travel time of having to pick up the kids from day care. As such, I believe this expense to be reasonable.

14. Schedule J 15a: There is an increase of \$100 for life insurance. This is a direct increase in the cost we are charged for the policies. As such, this is out of our control.

15. Schedule J 15c: There is an increase of \$30 for vehicle insurance. Once again, this is a direct increase from the auto insurance company and as such is out of our control.

16. Schedule J 21: There is an increase of \$75 for pet care. This number includes dog food and the visits to the vet. Unfortunately, the price of dog food and the cost of each vet visit has gone up since February of 2021, most likely once again due to inflation. Also, our dog has had some minor medical issues which have resulted in us having to get him a few prescriptions throughout the year. As such, I believe this expense to be reasonable.

17. Schedule J 21: There are 4 new expense items on the January 2023 Schedule J which were not listed on the February 2021 Schedule J. Those are a \$360 student loan payment for my husband, a \$250 business loan payment for my husband, a \$50 continuing education expense and a \$35 training course expense.

18. As to the student loan payment, this is a student loan that my husband has to make payments on. When we filed this case in July of 2020, there were no payments due and owing in

connection with same. However, payments are now due and the payment is \$360 a month. My husband is not a debtor in this case and this payment needs to be made. As such, same is reasonable.

19. As to the business loan payment of \$250, unfortunately my husband was forced to close a prior business that he owned. The business was actually closed prior to the filing of my case but the ramifications of same were not fully known at that time. After my husband closed his business, he was forced to deal with debt that was due and owing at the time of closure. He took time to catalogue all of the debts and determine their balances, only taking out a loan to deal with same within the last year. Once that was all determined, he took out a loan to pay the creditors of the business. This \$250 payment is the payment on that loan and was required. Once again, my husband is not a debtor in this bankruptcy and this payment is necessary. As such, same is reasonable.

20. As to the continuing legal education expense of \$50, I am an athletic trainer and a teacher, and my husband is a teacher. We are both required to take continuing education classes on a year to year basis which we have to pay for out of pocket. Honestly, this estimate of \$50 a month is likely too low upon second reflection. This was an expense that we had when I filed my Bankruptcy which I simply forgot. As such, this expense is reasonable.

21. Lastly, as to the \$35 athletic training license expense, I am an athletic trainer and make part of my wages through this profession. On a yearly basis I am required to pay for a training license and for courses which keep me certified. This was an expense that we had when I filed my Bankruptcy which I simply forgot. As such, this expense is reasonable.

22. As explained above, almost every increased expense that we have incurred since the filing of the 2021 February Schedule J is either the direct result of the birth of our second

child, the increased prices due to inflation or the result of both myself and my husband needing to return to work full time in person after the easing of the covid lockdown restrictions.

23. The above increases are necessary, reasonable and allow for both my husband and myself to retain our jobs. As we both make approximately \$7,000-\$7,500 a month, an amount which allows us to make payments to our creditors, I believe that these expenses are reasonable. If one of us were to stop working in order to reduce these expenses, our income would be cut in half and we would be forced to transfer to a Chapter 7 proceeding. This would result in no further payments to unsecured creditors. That would certainly not be best for the unsecured creditors.

24. I believe that the expenses in the January 2023 Schedule J are necessary and reasonable. Wherefore, I respectfully request that this Court confirm my Modified Chapter 13 Plan.

I certify that the foregoing statements are true. I am aware that if the foregoing statements are willfully false, I am subject to punishment.

Dated: April 11, 2023

By: /s/ Alexis Heeney  
Alexis Heeney